

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JOSHUA CARY MYERS,

Case No. 3:14-cv-00082-MMD-VPC

Petitioner,

ORDER

v.

RENEE BAKER, *et al.*,

Respondents.

This is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner. On September 24, 2015, this Court granted petitioner's motion for counsel and appointed the Federal Public Defender to represent petitioner in this action. (Dkt. no. 30.) On October 26, 2015, T. Kenneth Lee of the Federal Public Defender's Office appeared on behalf of petitioner. (Dkt. no. 32.) The Court now sets a schedule for further proceedings in this action.

It is therefore ordered that counsel for petitioner must meet with petitioner as soon as reasonably possible, if counsel has not already done so, to: (a) review the procedures applicable in cases under 28 U.S.C. § 2254; (b) discuss and explore with petitioner, as fully as possible, the potential grounds for habeas corpus relief in petitioner's case; and (c) advise petitioner that all possible grounds for habeas corpus relief must be raised at this time in this action and that the failure to do so will likely result in any omitted grounds being barred from future review.

It is further ordered that petitioner will have ninety (90) days from the date of entry of this order, to file and serve on respondents an amended petition for writ of

1 habeas corpus, which must include all known grounds for relief (both exhausted and
2 unexhausted).

3 It is further ordered that respondents will have forty-five (45) days after service of
4 an amended petition within which to answer, or otherwise respond to, the amended
5 petition. If petitioner does not file an amended petition, respondents will have forty-five
6 (45) days from the date on which the amended petition is due within which to answer, or
7 otherwise respond to, petitioner's original petition.

8 It is further ordered that if and when respondents file an answer, petitioner will
9 have forty-five (45) days after service of the answer to file and serve a reply.


10 It is further ordered that all exhibits filed by the parties herein must be filed with
11 an index of exhibits identifying the exhibits by number. Exhibits filed in the CM/ECF
12 system must correspond to the numbered exhibits identified in the index of exhibits.

13 It is further ordered that the parties must send courtesy (paper) copies of all
14 exhibits to the Reno Division of this Court. Courtesy copies must be delivered to the
15 Clerk of Court, 400 S. Virginia St., Reno, NV, 89501, and directed to the attention of
16 "Staff Attorney" on the outside of the mailing address label.

17 It is further ordered that the all pleadings and court filings must be served on the
18 Federal Public Defender's Office (FPD), at the address indicated on the FPD's notice of
19 appearance.

20 It is further ordered that petitioner must not file further *pro se* documents and
21 must proceed by and through appointed counsel.

22 DATED THIS 28th day of October 2015.

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25 MIRANDA M. DU
26 UNITED STATES DISTRICT JUDGE
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